

Roberta H. Gehring
540 Sycamore Creek Lane
Nipomo, CA 93444

August 19, 2013

Brian Pedrotti
SLO County Planning Department
976 Osos Street, Room 300
San Luis Obispo, CA 93408-2040

Subject: Proposed Laetitia Winery 102 Home Subdivision

Dear Mr. Pedrotti:

There is a lot not to like about the proposed Laetitia development. Increased traffic to the houses from Thompson, to Sheehy, to Dana Foothill, to Upper Los Berros Road could represent a "nightmare" all by itself. This letter, however, is to specifically talk about my deep concern pertaining to our most precious resource, water.

I am a homeowner who lives in the Nipomo foothills. My home was built in Nipomo in 1997 on a 10 acre parcel in Rancho Nipomo. My particular property borders Upper Los Berros Road, and the Los Berros Creek runs alongside one edge of my property. Until Laetitia started increasing both their vineyard plantings and pumping of ground water, the Los Berros Creek flowed virtually year-round. Los Berros Creek was a seasonal creek, teeming with wildlife, but I watched as the water in this creek went from a moderate flow, to diminished, to trickle, to gone. Now, the only time I see any water in the Los Berros Creek is if there have been major sustained rains in this locale and the Nipomo foothills; the water flow subsequently diminishes to "zip" very quickly. Los Berros Creek is no longer home to steelhead trout, pond turtles, and other distressed species...this treasure has been lost to vineyards. Laetitia has not been a good neighbor where water is concerned. ..and now Laetitia wants more! Laetitia's new DEIR claims to solve the problem of depleting the water in Los Berros Creek by not using wells numbers 12 and 13 for the housing project, due to their close proximity to the creek. However, these two wells would still be used for the irrigation of the vineyards, which will be increased by 27 acres according to the plan. This just doesn't make sense to me – water is water!

As has been well-documented and reported to SLO County Planning Department previously, well water in the Nipomo Hills comes from fractured shale formations – not a sandy aquifer as is found on the Nipomo Mesa. Fractured shale is noted for being a very unpredictable and unreliable source of water. There have already been documented cases of numerous wells surrounding Laetitia that have either gone dry or had to be dug deeper due to reduced output. Reports indicate that this is typical of wells located above fractured shale. All of the water needed for the Laetitia project would be provided from wells located on the agricultural cluster subdivision. What potentially can happen if the Laetitia development extracts an additional 102,000 gallons of water per day from our fractured shale formation! What will the value of our property be if we have no water?

There are already many vacant lots in the immediate area to the south of Laetitia Winery. These lots have previously been approved for building, most having been approved for two home sites. Specifics: There are about 20 unimproved lots in the Rancho Nipomo tract; 10 lots within the Fitz-Gerald Ranch; 3 lots in the Wittsrom minor ag cluster, and about 3 lots on Rim Rock Road. All of these approved lots, when homes are built, will be obtaining their water from the same fractured shale that Laetitia is proposing for their water source. As additional homes are built on approved lots in this geographical area, will there be enough water to go around for everyone...troubling question.

It's very clear that expert opinions differ! The developer hired and paid Cleath Harris Consultants (CCH) to do the initial hydro geological study for Laetitia. About 200 individuals living near the proposed Laetitia subdivision formed a group called, "Nipomo Hills Alliance." This group meticulously reviewed the initial DEIR and expressed significant concerns. Because of these concerns, three peer reviews were performed of CCH's work, all of which differed significantly with many of CCH's conclusions. The CCH study cited techniques appropriate for real aquifers, not for fractured rock

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To: Brian Pedrotti, SLO County Planning Department

From: Roberta Gehring

formations, with all their uncertainties and unknowns. The hydrogeology company, Geosyntec, states in their October 2011 letter, *"This indicates that the long term capacities of the fractured bedrock aquifers to transmit groundwater are **lower than previously estimated** and sustainable production potential of the Project Site wells based on the short term tests were **unrealistically high**. Initial yields from wells in fractured bedrock aquifers often are not representative of longer term yields, which are typically lower."*

Five years ago Laetitia estimated the water requirements for this tract to be 143 acre feet per year (128,000 gallons per day). Negative comments were received, and they reduced their estimate to 73.7 acre feet. In their latest rendition, the water requirements were reduced to 46.3 acre feet. The hydro geologist, Paul Sorenson of Fugro West, Inc., after thorough studying the Laetitia CCH report, stated in his letter to the County, "A worst case total project water demand estimate on the order of 168.6 acre ft/yr to 175.3 acre ft/yr is considered reasonable." The WRAC brings up the point that the Woodlands and Varian Ranch were estimated to use 1.50 acre ft/yr per residence. Laetitia's numbers seem like they've been "pulled out of the air!" Realistically, how will the residents of the 102-home agricultural cluster subdivision be monitored/policed to be sure they only use these reduced amounts of water. The new DEIR offers "solutions" to mitigating the water problem (e.g., lawn size; water-saving devices). Laetitia does propose to enforce water conservation through CCR's, the Homeowners' Association and/or a Mutual Water Company. I urge you to oppose the formation of a mutual water company; the residents of an HOA would not have the expertise to manage a system drawing water from such an *uncertain source*. A mutual water company could not reasonably monitor and regulate their impacts on the water supply; they would have no control over how much water was pumped in any given year for agriculture. I urge the Planning Department to require that Laetitia retain responsibility for the water supply of these homes in perpetuity. With all the pumping under one ownership, the demands on this fragile fractured rock system can be coordinated. Without this, the developer (Laetitia) will be absolved of any and all responsibility once the lots are sold.

Too much of the language in the "Recirculated Draft EIR" (RDEIR) assumes that the Laetitia project will be approved regardless of having inadequate water. I urge the SLO County Planning Department to reject the Laetitia project, and list out the issues that need adequate, thorough, and substantiated answers before the project is approved in any form (e.g., phases). I keep coming back to the fact that **both Fugro West and Geosyntec have independently expressed doubt that adequate water exists for this proposed ag cluster.**

One only has to read the local newspaper (including Letters to the Editor) about the dire water situation in Paso Robles to know that something of a similar nature could happen here. County Supervisor, Frank Mecham of Paso Robles was quoted in the Tribune on June 16, 2013 as saying, *"I just hope that we are not in the situation where the guy with the most money wins. That would be a very sad situation. Everyone needs to be considered in this whole scheme of things. Surely this same sentiment applies to homeowners and landowners in the Nipomo Hills – not just the billionaire from Los Angeles, Selim Zilkha, the owner of Laetitia Winery. Please proceed with great care!"*

Sincerely,



Roberta H. Gehring